

Pub12B
(7/93)

United States District Court
for the District of Massachusetts
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Richard Lopez

Case Number: 03-320-01

Name of Sentencing Judicial Officer: Honorable Katharine S. Hayden, U.S. District Judge

Date of Original Sentence: April 25, 2005

Original Offense: Unlawful Transport of Firearms, 18 U.S.C. § 922 (g)(1)

Original Sentence: 84 Months Bureau of Prisons; 3 Years Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: December 18, 2008

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years
☒ To modify the conditions of supervision as follows:

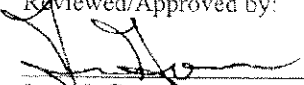
The defendant shall participate in mental health treatment as directed by the U.S. Probation Office and shall pay for the costs of such treatment based on his ability to pay, as determined by the U.S. Probation Office.

CAUSE

The above-named offender was approved to transfer to the District of Massachusetts upon his release from custody. He currently resides with his sister and her family in a quiet, residential area in Springfield, Massachusetts. Mr. Lopez was released from custody on December 18, 2008, and he began his period of Supervised Release on that date. Given that the offender's sister is his only tie to the District of Massachusetts, the Probation Office has chose to delay the request for Transfer of Jurisdiction in this case until Mr. Lopez proves that his housing situation is stable and he is in compliance.


On December 19, 2008, Mr. Lopez reported to the Probation Office for his initial meeting with U.S. Probation Officer Aaron McGrath. During this meeting, Mr. Lopez explained that he had secured employment at the end of his term of imprisonment through placement at a Residential Re-Entry Center. However, Mr. Lopez was fired from his position after he engaged in an argument with another employee. Mr. Lopez advised Officer McGrath that the incident has revealed to him that he needs to participate in anger management treatment to prevent further problems of this nature. Since his release, Mr. Lopez has shown impressive dedication to his employment search and has been responsive and cooperative in his contact with the Probation Office. At this time, the Probation Office would request this modification of the conditions to ensure that Mr. Lopez has the proper support network in place as he strives to establish himself as a productive member of the community. Mr. Lopez signed the attached Waiver of Hearing form, indicating his consent to the modification of his conditions of Supervised Release.

Reviewed/Approved by:


 Jesse J. Gomes
 Supervising U.S. Probation Officer

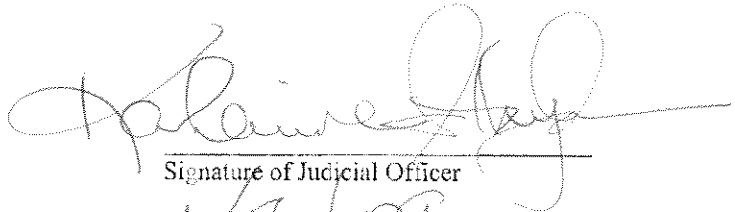
Respectfully submitted,

By


 Aaron F. McGrath, Jr.
 U.S. Probation Officer
 Date: December 30, 2008

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other


 Signature of Judicial Officer

1/7/09
 Date

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEW JERSEY

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall participate in mental health counseling until duly discharged. He shall pay for the costs of such treatment as determined able by the U.S. Probation Office.

Witness: Aaron F. McGrath

Aaron F. McGrath
U.S. Probation Officer
District of Massachusetts

Signed: Richard Lopez Jr.

Richard Lopez

12/19/08
DATE

RECEIVED

JAN 05 2009

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK